

Patent 10/538,325

REMARKS

Reconsideration of the rejection of claims 1-7 under 35 USC §112, second paragraph is respectfully requested in light of the amended claims, wherein the examiner's comments have been addressed.

Reconsideration of the rejection of claims 1, 4, 6, and 7 under 35 USC §102(b) as unpatentable over Gordon is respectfully requested. Claim 1 has been amended to recite the valve as a separate element designed to be inserted in a dispenser, and claim 6 has been amended to recite the valve in combination with a dispenser. Thus, as described at paragraph [0007] of the specification, the invention comprises a disk that fits into a dispenser and includes the disc in combination with the dispenser. Gordon fails to teach a valve that fits in the dispenser and thus does not anticipate the invention as now claimed.

Reconsideration of the rejection of claims 2, 3, and 5 under 35 USC §103 as unpatentable over Gordon in view of Brown and Steinle et al is respectfully requested.

Applicant's invention relates to an inexpensive disc that can be inserted into a dispenser to facilitate manufacture and which provides several advantages nowhere contemplated by the references of record. For example, the recessed central portion provides room for the valve flaps to open without engaging the front of the dispenser. See, paragraph [0022]. Also, the annular depression of the rear wall allows the material being dispensed to force the marginal portion into engagement with the internal wall of the dispenser. See, paragraph [0021]. Nothing in the art of record teaches these features.

As noted earlier, Gordon does not teach a valve to be inserted into a cavity. The reference to Brown teaches a separate valve but does not teach a valve having a front wall engaging the front of the dispenser and has no teaching whatsoever of a central section with a front wall displaced toward the rear wall.

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It is submitted that nothing in the art teaches the several features now recited in the claims and that the claims are patentable over the art of record.

Accordingly, it is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested.

Applicant believes there is no fee required for this submission, however, please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,
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